

TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT																																													
NATURE OF CONVEYANCE:	SECURITY INTEREST																																													
CONVEYING PARTY DATA																																														
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TRADEMARK
REEL: 003524 FRAME: 0238

Registration Number:	2048250	RED DIAMOND ESTATE
Registration Number:	2794043	RED DIAMOND THE SOUTH'S FINEST SINCE 1906
Registration Number:	2007551	RED DIAMOND ULTRA BLEND
Registration Number:	2426415	SAMPLE DIRECT
Registration Number:	1716223	SILVER SERVICE
Registration Number:	2151023	SPARKLING RESULTS
Serial Number:	78745627	SS SILVER SERVICE
Registration Number:	2789532	THE OFFICIAL DRINK OF SOUTHERN HOSPITALITY
Registration Number:	2399596	THE PERFECT BLEND FOR EVERY PREFERENCE
Registration Number:	2289791	THE SOUTH'S FINEST
Registration Number:	1693390	WRIGHT'S MILL

CORRESPONDENCE DATA

Fax Number: (205)488-6770
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: 2055218770
 Email: cwilkerson@bradleyarant.com
 Correspondent Name: Crystal G. Wilkerson
 Address Line 1: 1819 Fifth Avenue North
 Address Line 4: Birmingham, ALABAMA 35203-2104

NAME OF SUBMITTER:	Crystal G. Wilkerson
Signature:	/cwilkerson/
Date:	04/17/2007

Total Attachments: 3
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CONFIRMATION OF SECURITY AGREEMENT

THIS CONFIRMATION OF SECURITY AGREEMENT ("this Agreement") is made as of the 13th day of April, 2007, by **Red Diamond, Inc.**, an Alabama corporation whose address is 1701 Vanderbilt Road, Birmingham, Alabama 35021 (the "Grantor"), to and for the benefit of **Regions Bank**, an Alabama banking corporation whose address is 417 20th Street North, Mail Code ALBMM012, Birmingham, Alabama 35203 (the "Bank").

WHEREAS, the Grantor and the Bank have entered into a Loan and Security Agreement dated and effective as of April 13, 2007 (as the same may be amended from time to time, the "Loan Agreement"; capitalized terms used herein but not defined herein shall have the meanings attributed to such terms in the Loan Agreement), pursuant to which the Bank, subject to the terms and conditions contained in the Loan Agreement, agreed to make certain loans to the Grantor;

WHEREAS, pursuant to the Loan Agreement, the Grantor has granted to the Bank, as security for the Obligations, a security interest in all of the property of the Grantor, wherever located and whether now owned by Grantor or hereafter acquired, including, without limitation, those certain service marks and trademarks described on Schedule 1 attached hereto and made a part hereof, which are the subject of trademark registrations or applications filed with the United States Patent and Trademark Office (the "Intellectual Property"); and

WHEREAS, the Grantor wishes to acknowledge and confirm the Bank's security interest in the Intellectual Property pursuant to the Loan Agreement.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree, acknowledge and confirm the following:

1. The Grantor and the Bank have caused this Agreement to be executed with the effect of confirming certain security interests granted to the Bank as security for the Obligations pursuant to the Loan Agreement;
2. The Grantor hereby confirms that, pursuant to the Loan Agreement, it has irrevocably pledged, conveyed and granted to the Bank a security interest in and to the Intellectual Property; and
3. The Grantor represents and warrants that (i) the Grantor has the full right to enter this Agreement; (ii) the Grantor is bound by this Agreement as well as by the Loan Agreement; (iii) with the exception of certain security interests in the Intellectual Property previously pledged, conveyed and granted to First Commercial Bank, an Alabama banking corporation, the Grantor has not conveyed or purported to convey any interest in the Intellectual Property, and no such conveyances or encumbrances exist.

[Signature Page Follows]

After the parties had declared to have taken cognizance of these presents and to have exempted the undersigned Notary from reading them or causing them to be read, the undersigned duly authorized officers of the Grantor and the Bank respectively signed these presents as of the date first above written in the Birmingham, Jefferson County, Alabama, all in the presence of the said Notary who has also signed.

RED DIAMOND, INC.

By: [Signature]
Name: WILLIAM H. BOWEN JR
Title: PRESIDENT & CEO

REGIONS BANK

By: [Signature]
Name: CAROLE STRONG
Title: SVP

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that William H. Bowen Jr whose name as President & CEO of Red Diamond, Inc., an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 12th day of April, 2007.

[Signature]
Notary Public

AFFIX SEAL

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 1, 2010
My commission expires: RESIDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carole Strong whose name as SVP of Regions Bank, an Alabama banking corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal this the 12th day of April, 2007.

[Signature]
Notary Public

AFFIX SEAL

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
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My commission expires: BONDED THRU NOTARY PUBLIC UNDERWRITERS

SCHEDULE 1

Red Diamond, Inc. Federal Trademark Registrations and Applications			
Mark	App. No.	Reg. No.	Reg. Date
A "GEM" IN THE CUP	77055706	TBD	TBD
CHUG IT	75730796	TBD	TBD
COFFEE CAFE	76319301	2597910	July 23, 2002
DCC (& DESIGN)	74228693	1713992	September 8, 1992
DONCO	72299330	0867995	April 8, 1969
DOVER HOUSE (& DESIGN)	74273860	1803866	November 9, 1993
JPT (& DESIGN)	73687855	1493387	June 21, 1988
LATIN MAGIC (& DESIGN)	71660925	0603111	March 8, 1955
MOCHA BERRY	75024891	2252248	June 15, 1999
RDC (& DESIGN)	74230439	1747877	January 19, 1993
RED DIAMOND	72000197	0636917	November 6, 1956
RED DIAMOND	78499216	3028259	December 13, 2005
RED DIAMOND	78499297	3028264	December 13, 2005
RED DIAMOND (& DESIGN)	76443924	2799891	December 30, 2003
RED DIAMOND ESTATE	74681410	2048250	March 25, 1997
RED DIAMOND THE SOUTH'S FINEST SINCE 1906	76443901	2794043	December 16, 2003
RED DIAMOND ULTRA BLEND (& DESIGN)	74626384	2007551	October 15, 1996
SAMPLE DIRECT	75779739	2426415	February 6, 2001
SILVER SERVICE (& DESIGN)	74233906	1716223	September 15, 1992
SPARKLING RESULTS	75313067	2151023	April 14, 1998
SS SILVER SERVICE (& DESIGN)	78745627	TBD	TBD
THE OFFICIAL DRINK OF SOUTHERN HOSPITALITY	76391508	2789532	December 2, 2003
THE PERFECT BLEND FOR EVERY PREFERENCE	75730795	2399596	October 31, 2000
THE SOUTH'S FINEST	75328991	2289791	November 2, 1999
WRIGHT'S MILL	74093836	1693390	June 9, 1992